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SERVICE DATE - LATE RELEASE DECEMBER 12, 1997

SURFACE TRANSPORTATION BOARD

DECISION

Section 5a Application No. 61

NATIONAL CLASSIFICATION COMMITTEE--AGREEMENT

Decided: December 12, 1997

By petition filed December 9, 1997,<sup>1</sup> the National Motor Freight Traffic Association, Inc. (NMFTA) requests reconsideration of the notice, published in the Federal Register on December 2, 1997, at 62 FR 63746, announcing approval of a 3-week extension of the deadlines for filing comments in this proceeding, rather than the 3-month extension requested by NMFTA.

NMFTA's petition will be denied. With the 3-week extension that has already been granted, parties will have about 2.5 months (November 13, 1997, to January 29, 1998) to prepare their opening comments, an interval that is not short in comparison to what has been allowed in investigative proceedings before the Board and its predecessor agency. Moreover, despite the fact that the Board, by decision served August 15, 1997, in Section 5a Application No. 118 (Amendment No. 1), et al., EC-MAC Motor Carriers Service Association, Inc., et al., put NMFTA on notice that we would be commencing this proceeding, NMFTA professes that its Board of Directors and members have not had an opportunity to meet and discuss the pertinent issues in this matter. If NMFTA chose not to use the approximately 3 additional months available to it (August 15, 1997, to November 13, 1997) to prepare for this proceeding, that fact should not be used to justify the more leisurely schedule that NMFTA evidently would prefer. Under these circumstances, the schedule that has been established, with the 3-week extension already granted, is neither prejudicial nor unduly burdensome to NMFTA.

It is ordered:

1. NMFTA's petition for reconsideration is denied.
2. This decision is effective on its date of service.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams  
Secretary

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<sup>1</sup> The petition was tendered without the required filing fee on December 3, 1997.